

STATEMENT OF PURPOSE

RS18357

This proposed legislation will create a new Idaho Code Sections 19-3004A. It will grant to prosecuting attorneys and the attorney general a limited power to issue administrative subpoenas to Internet service providers in the investigative phase of crimes committed against children through the use of the Internet or other electronic communication services. Such records are essential to law enforcement to identify, in the investigative stage, the location and ownership of computers being used to commit crimes against children. The records to be provided under such a subpoena will not include the content of any communications or the sites accessed but are limited to the name, address, period of access, type and duration of service, network addresses, and means and source of payment for services. Certification is required of the issuing prosecutor that the records are sought in connection with the investigation of a crime against a child. Means are provided to challenge a subpoena in court and to enforce compliance through the courts.

FISCAL NOTE

This bill would have no fiscal impact on the general fund.

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